

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WILLIAM SCALES,

Plaintiff,

-against-

DESIGN NORTEX,

Defendant.

23-CV-6442 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. By order dated January 2, 2024, the Court granted Plaintiff 60 days' leave to file an amended complaint. (ECF 6.) On February 10, 2024, Plaintiff requested an extension of time to file his amended complaint. (ECF 8.) The Court grants Plaintiff's request. Plaintiff must file his amended complaint within 60 days of the date of this order.

**CONCLUSION**

The Court grants Plaintiff's request for an extension of time to file his amended complaint. (ECF 8.) Plaintiff must submit his amended complaint within 60 days of the date of this order. If Plaintiff fails to comply within the time allowed, and he cannot show good cause to excuse such failure, the complaint will be dismissed for the reasons stated in the Court's January 2, 2024 order.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an

appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: February 21, 2024  
New York, New York

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
Chief United States District Judge